

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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**In re: PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE LITIGATION**

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) **MDL No. 1456**  
) **Master File No. 01- 12257-PBS**  
) **Subcategory Case. No. 06-11337**  
)

**THIS DOCUMENT RELATES TO:**

) **Hon. Patti B. Saris**  
)

*United States of America ex rel. Ven-A-Care of the  
Florida Keys, Inc., et al. v. Dey, Inc., et al.,*  
Civil Action No. 05-11084-PBS

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) **Magistrate Judge**  
) **Marianne B. Bowler**  
)  
)

**CONSENT MOTION TO ESTABLISH BRIEFING SCHEDULE**

Defendants Dey Pharma, L.P. (formerly known as Dey, L.P.), Dey, Inc., and Dey L.P., Inc. (collectively "Dey") hereby request, with the agreement of the United States, that the Court extend the time limit to respond to the United States' Motion in Limine Regarding Testimony of Raymond C. Winter and Sequencing of Deposition Testimony, Dkt. 7155. The parties have conferred and have agreed to the following briefing schedule:

Responses/Oppositions due: July 30, 2010

WHEREFORE, Dey requests that the Court grant this motion, and enter an order setting forth the agreed-upon briefing schedule.

Dated: July 7, 2010

Respectfully Submitted,

KELLEY DRYE & WARREN LLP

By: /s/ Sarah L. Reid  
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Dey, Inc., and Dey L.P., Inc*

**LOCAL RULE 7.1 CERTIFICATION**

I certify that, on July 6, 2010, counsel for Dey consulted with counsel for the Government, who indicated that the Government consented to this motion.

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/s Sarah L. Reid

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending on July 7, 2010, a copy to LexisNexis File & Serve for posting and notification to all parties.

\_\_\_\_\_/s Sarah L. Reid